IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

THURSDAY, THE 15TH FEBRUARY 2007 / 26TH MAGHA 1928

WP(C).No. 3213 of 2007(G)

PETITIONER:

JOJY GEORGE, S/O.K.J. GEORGE,
KODUKAPPALLY VEEDU, KALPATHI,
PALAKKAD.

BY ADV. SRI.NAGARAJ NARAYANAN

RESPONDENTS:
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1. THE SUB INSPECTOR OF POLICE,
MALAPUZHA POLICE STATION,
MALAMPUZHA.

2. THE SECRETARY, HEAD LOAD WORKERS
UNION, CITU, MALAMPUZHA.

3. THE PRESIDENT, HEAD LOAD WORKERS
UNION, INTUC, MALAMPUZHA.

4. THE PRESIDENT, HEAD LOAD WORKERS
UNION, BMS, MALAMPUZHA.

R1 BY G.P. SHRI P.A. SALIM

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 15/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

EXT.P1-TRUE COPY OF THE PETITION FILED BY THE PETITIONER BEFORE THE FIRST RESPONDENT DATED 19.1.2007

// TRUE COPY //

J.B. Koshy & T.R. Ramachandran Nair, JJ.

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W.P.(C).NO. 3213 of 2007-G

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Dated this the 15th day of February, 2007

JUDGMENT

Koshy, J.

This is a petition for police protection for carrying loading and unloading work. Petitioner is having 36 acres of land. He wants to cut and remove the rubber trees for certain areas after slaughter tapping. It is the case of the petitioner that respondents 2 to 4 and their supporters are obstructing the same. Cutting of rubber trees is not covered by the Headload Workers Act and petitioner is free to cut the rubber trees by engaging his own workers. But as far as loading and unloading work is concerned, it should be done by the registered workers in the local area at the rates fixed. However, if the local headload workers are refusing to do the work due to union rivalry or demanding more wages, the petitioner is allowed to remove the cut rubber trees by engaging his own workers and police shall give necessary protection.

The writ petition is disposed of with the above observations.

(J.B. Koshy, Judge.)

(T.R. Ramachandran Nair, Judge.)

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